

REMARKS

Following entrance of the present amendment, page 1 of the specification has been amended to include cross-reference to related application information and claims 3 and 4 have been amended. Claim 7 has been withdrawn from consideration. Hence, claims 3 – 6 remain for consideration.

The specification has been amended to claim priority to U.S. Patent Application Nos. 08/743,376 and 09/499,830 as well as the applications from which they depend respectively. This application has the same inventor, owner, and was filed co-pending therewith.

Applicant has amended claim 3 to call for each of the carpet tiles in the installation to have a particular cup and curl.

Claim 4 has been amended to be consistent with claim 3.

Applicant respectfully requests reconsideration and withdrawal of the 35 USC Section 102(b) rejection of claims 3 and 4 and the 35 USC Section 103(a) rejection of claims 5 and 6 in light of the amendment of the specification and the amendment of claim 3 (claims 4 – 6 depend from claim 3). Further, U.S. Patent 5,540,968 depends from U.S. Patent Application No. 08/205,834. As amended, the present application also claims priority to U.S. Patent Application No. 08/205,834.

Claim 3, as amended, calls for the carpet tiles of the installation to have a particular cup and curl.

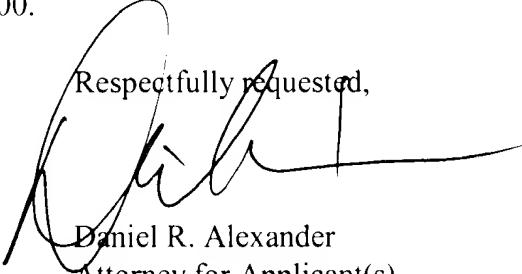
In light of the above, Applicant respectfully believes the present application to be in condition for allowance. An early and favorable action to that effect is earnestly solicited.

Should any matter of form or language stand in the way of allowance of the present application, the undersigned respectfully requests a telephone conference to resolve such issues.

Please charge any deficiency in fees or credit any overpayment in connection with this  
Amendment to Deposit Account 04-0500.

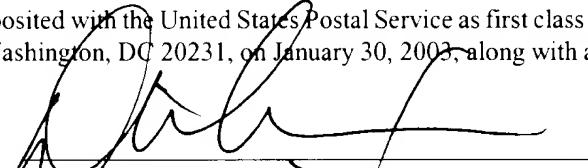
Respectfully requested,

January 30, 2003

  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231, on January 30, 2003, along with a postcard receipt.

  
Daniel R. Alexander  
Attorney for Applicant(s)

MARKED UP COPY OF THE SPECIFICATION

Page 1, **between** the title and the heading "Field of the Invention" **insert** the following:

--CROSS-REFERENCE TO RELATED APPLICATIONS

This application claims priority to and benefit of commonly owned, co-pending U.S. Patent Application No. 08/743,376, filed on November 4, 1996, now U.S. Patent No. 6,203,881, which is a continuation of U.S. Application No. 08/468,707, filed on June 6, 1995, now abandoned, which is a division of U.S. Application No. 08/205,834, filed on March 3, 1994, now U.S. Patent No. 5,545,276. This application also claims priority to and benefit of U.S. Patent Application No. 09/499,830, filed on February 8, 2000, now U.S. Patent No. 6,468,623, which is a continuation of U.S. Application No. 08/743,376, filed on November 4, 1996, now U.S. Patent No. 6,203,881, which is a continuation of U.S. Application No. 08/468,707, filed on June 6, 1995, now abandoned, which is a division of U.S. Application No. 08/205,834, filed on March 3, 1994, now U.S. Patent No. 5,545,276. - -

MARKED UP COPY OF THE CLAIMS

Amended claims 3 and 4 as follows:

3. (Twice Amended) An adhesive free cushion backed carpet tile installation having good stability, capable of withstanding rolling traffic, and made up of carpet tiles that retain their position on the floor without the need for adhesive, comprising:  
a plurality of cushion backed carpet tiles each carpet tile comprising:  
an upper textile surface; and  
a layer of polyurethane foam material, said layer of foam material being functionally secured beneath said upper textile surface, and said layer of foam material being adapted to provide cushioning to a force pressing against said upper textile surface, and each carpet tile positioned in an abutting relationship relative to each other and substantially freely overlying a predetermined surface, wherein each of said carpet tiles has a plurality of corners, with said corners being manufactured to have a cup of about 3/16" or less and a curl of about 1/16" or less prior to installation, and within said installation none of said carpet tiles have a cup of greater than 3/16" and no corner of said tiles has a curl of greater than 1/16".

4. (Twice Amended) The cushion backed carpet tile installation according to Claim 3, wherein each of said corners of said carpet tiles has a cup of about 2/16" or less and a curl of about 1/32" or less.